



UNITED STATES PATENT AND TRADEMARK OFFICE

TP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,700	08/05/2003	Guru Prasadh	NWISP029	8393

22434 7590 08/14/2006

BEYER WEAVER & THOMAS, LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER

GUYTON, PHILIP A

ART UNIT	PAPER NUMBER
----------	--------------

2113

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,700

Applicant(s)

PRASADH ET AL

Examiner

Philip Guyton

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,9,11,14 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 2,5,7,8,10,12,13,15,16 and 20-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference signs mentioned in the description: test data in 317 and test data out 319 (page 14, lines 23-24). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: page 16, line 10 of the specification refers to a U.S. patent application with no application number. Appropriate correction is required.

Claim Objections

3. Claim 10 is objected to because of the following informalities: reference to “the JTAG port” lacks antecedent basis. It is suggested that claim 10 depend from claim 2. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3, 4, 6, 9, 11, 14, 17, 18, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,043,569 to Chou et al. (hereinafter Chou).

With respect to claim 1, Chou discloses a computer system comprising a plurality of processor clusters (figure 1, each node or pair of nodes is cluster, and link to other IB subnets indicates other clusters), each cluster including a plurality of nodes (figure 1,

processor nodes), the nodes including processors (figure 1, CPUs in each node) and an interconnection controller interconnected by point-to-point intra-cluster links (figure 1, switch fabric), each of the processors and the interconnection controller communicating within a cluster via an intra-cluster transaction protocol (column 1, lines 48-52), inter-cluster links being formed between interconnection controllers of different clusters (figure 1, arrow to other IB subnets, WANS, LANS, and processor nodes), each of the processors and the interconnection controller in a cluster having a test interface (column 4, lines 1-7) for communicating with service processor (column 1, lines 55-67 – subnet manager), at least one of the nodes in a cluster is a command-injecting node configured to receive a command via a test interface and to inject the command into a queue of commands according to the intra-cluster transaction protocol (column 5, lines 13-24).

With respect to claim 3, Chou discloses wherein the injected command is selected from the group consisting of (a) a command for reading a configuration of a node within a local cluster that includes the service processor that made the injected transaction; (b) a command for writing a configuration of a node within a local cluster that includes the service processor that made the injected transaction; (c) a command for reading a configuration of a node within a remote cluster that does not include the service processor that made the injected transaction; and (d) a command for writing a configuration of a node within a remote cluster that does not include the service processor that made the injected transaction (column 7, lines 29-33).

With respect to claim 4, Chou discloses wherein the injected command comprises a new transaction (column 6, line 64-column 7, line 6).

With respect to claim 6, Chou discloses wherein the interconnection controllers communicate between the clusters via an inter-cluster transaction protocol (column 1, lines 25-47).

With respect to claim 9, Chou discloses wherein the command-injecting node is an interconnection controller (column 5, lines 13-24).

With respect to claim 11, Chou discloses wherein the new transaction is within a local cluster that includes the command-injecting node (column 6, line 64-column 7, line 6 and figure 1).

With respect to claim 14, Chou discloses an interconnection controller (figure 2, item 200 - switch) for use in a computer system comprising a plurality of processor clusters (figure 1, each node or pair of nodes is cluster, and link to other IB subnets indicates other clusters), each cluster including a plurality of nodes (figure 1, processor nodes), the nodes including processors (figure 1, CPUs in each node) and an instance of the interconnection controller interconnected by point-to-point intra-cluster links (figure 1, switch fabric), each of the processors and the interconnection controller within a cluster communicating via an intra-cluster transaction protocol (column 1, lines 48-52), the interconnection controller configured to receive commands via a test interface and to inject the commands into a queue of pending commands according to the intra-cluster transaction protocol (column 5, lines 13-24).

Claim 17 is an integrated circuit comprising the interconnection controller of claim 14, and is rejected under the same rationale.

Claim 18 is a computer-readable medium having data structures representative of the interconnection controller of claim 14, and is rejected under the same rationale.

Claim 19 is a set of semiconductor processing masks representative of the interconnection controller of claim 14, and is rejected under the same rationale.

Allowable Subject Matter

6. Claims 2, 5, 7, 8, 10, 12, 13, 15, 16, and 20-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Guyton whose telephone number is (571) 272-3807. The examiner can normally be reached on M-F 8:00-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone

Art Unit: 2113

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PG
8/8/06


ROBERT W. BEAUSOLEIL
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 2100